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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/660,928 | 09/12/2003 | Donald Lee Seagle | 42530-5900 | 7307 |

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EXAMINER

SEVERSON, JEREMY R

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3653

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/660,928

Applicant(s)

SEAGLE ET AL.

Examiner

Jeremy R. Severson

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 14-19 is/are rejected.
- 7) ☒ Claim(s) 10-13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/12/03, 11/24/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7, 15, 16 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Abe (US 2002/0013127).

3. Re claim 1, Abe discloses a sensor position adjusting device, comprising: a rotatable coin selecting disc member for selectively dispensing coins from an attached coin bowl comprising a coin dispenser (1); a driven member (29) which is moved by the dispensed coins from the rotatable coin selecting disc member; a sensor unit (27) for detecting the movement of the driven member, the sensor unit being positioned adjacent to the driven member; and a screw unit (40, 41, 44) for adjusting the position of the sensor unit adjacent to the driven member.

4. Re claim 2, Abe discloses the sensor position adjusting device of claim 1, wherein the screw unit comprises: a fixed base plate (40) attached to the coin dispenser; a movable base plate (41) adjacent to the fixed base plate, the movable base plate being capable of movement relative to the fixed base plate, the sensor unit (27) being mounted in a fixed position on the movable base plate; and a screw (44) for adjusting the relative position of the movable base plate relative to the fixed base plate,

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the screw being operatively connected to both the fixed base plate and the moveable base plate.

5. Re claim 3, Abe discloses the sensor position adjusting device of claim 2, wherein rotation of the screw (44) does not cause axial movement between the screw and the fixed base plate (40), while rotation of the screw causes movement between the screw and the movable base plate (41) in a direction along the axis of the screw. See par. 33.

6. Re claim 4, Abe discloses the sensor position adjusting device of claim 2, further comprising: a guiding unit (41A) for enabling relative movement of the movable base plate and the fixed base plate only in the direction along the axis of the screw.

7. Re claim 5, Abe discloses the sensor position adjusting device of claim 2, wherein the movable base plate includes an attaching bracket (41) for attaching the sensor unit to the movable base plate, the sensor unit being mounted on the attaching bracket so that the attaching bracket is disposed between the sensor unit and the driven member.

8. Re claim 7, Abe discloses a sensor position adjusting device, comprising: a driving member (29) for being driven by a coin dispensed by a coin dispenser; a sensor unit (27) for detecting movement of the driving member to detect a coin dispensed by a coin dispenser; and a screw unit (40, 41, 44) for adjusting the relative position of the sensor unit and the driving member.

9. Re claim 15, Abe discloses the sensor position adjusting device of claim 7, wherein the sensor unit includes a proximity sensor (par. 40).

10. Re claim 16, Abe discloses the sensor position adjusting device of claim 7, wherein the sensor unit includes a switch (par. 40).

11. Re claim 19, Abe discloses a coin dispensing device having a driving member that is moved by a dispensed coin and a sensor unit for sensing some aspect of the position of the driving member, the sensor unit being fastened to a wall member that is parallel to the plane of motion defined by the movement of the driving member moved by the dispensed coin, the improvement comprising: a screw unit for adjusting the relative position of the sensor unit and the driving member in a plane parallel to the plane of motion defined by the movement of the driving member, wherein the sensor unit is fastened to wall member in a direction that is perpendicular to the plane of motion defined by the movement of the driving member.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 6, 14, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe.

14. Re claim 6, Abe discloses the sensor position adjusting device of claim 4, further comprising: a fixing unit (44) for preserving the relative position of the movable base plate and the fixed base plate. Abe lacks the explicit disclosure of the fixing unit including a pair of screws and a retainer member, wherein the screws can push the

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retainer member against the movable base plate to secure against movement of the movable plate relative to the fixed base plate. Abe discloses the fixing member including only one screw and no retainer member. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the fixing unit comprise two screws instead of one, in order to better secure the movable base plate to the fixed base plate. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a retainer member in the form of a washer, in order to prevent the screw from loosening.

15. Re claim 14, Abe discloses the sensor position adjusting device of claim 7, wherein the sensor unit includes a photoelectric sensor (par. 40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the photoelectric sensor out of an optical emitter and sensor pair, in order to detect the driven member.

16. Re claim 17, Abe discloses the sensor position adjusting device of claim 7, wherein the sensor unit includes a magnetic sensor (par. 40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the magnetic sensor out of a coil, in order to detect the driven member.

17. Re claim 18, Abe discloses the sensor position adjusting device of claim 7, wherein the sensor unit includes a magnetic sensor (par. 40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the magnetic sensor an electromagnetic sensor, in order to detect the driven member.

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18. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe (US 4,437,478) ("Abe 2").

19. Re claim 8, Abe 2 discloses the sensor position adjusting device of claim 7, wherein the screw unit further comprises: a fixed base plate (5) attached to the coin dispenser; a movable base plate (44) releasably attached to the fixed base plate, the movable base plate having a second bracket extending perpendicular to the movable base plate, the sensor unit being mounted on the movable base plate; and a screw (48) positioned to operatively connect the fixed base plate and the second bracket so that turning the screw causes the fixed base plate and the second bracket to move relative to each other, wherein turning the screw adjusts the position of the sensor unit. Abe 2 does not explicitly disclose the existence of a first bracket attached to the fixed base plate. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a bracket extending from the fixed base plate in order to provide a surface through which the screw (48) could pass. See fig. 3.

20. Re claim 9, Abe 2 discloses the sensor position adjusting device of claim 8, further comprising: a fixing unit for preserving the relative position of the movable base plate to the fixed base plate. The fixing unit is the bolt on screw (48) in fig. 3.

Allowable Subject Matter

21. Claims 10-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


Any prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy R. Severson whose telephone number is (571) 272-2209. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey, can be reached at 571-272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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